



U.S. Department of Transportation
Federal Highway Administration

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DEPT. OF TRANSPORTATION
COCKETS

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Office of Motor Carrier and Highway Safety

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FAX TRANSMISSION COVER SHEET

Date: June 11, 1999
To: Ryan Posten
Fax: (202) 366-3753
Re: Paint Striping Tanks
Sender: Judith R. Hinds

RSPA-99-5935-4

YOU SHOULD RECEIVE 4 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (802) 828-4480.

Hi, Ryan,

Attached are:

- 1 - the **background** explanation of our situation that I did for Hattie Mitchell and doe DeLorenzo on 04/23/99, when the issue first arose;
- 2 - a **drawing** of the truck in question;
- 3 - a manufacturer's data report for the tanks in question.

The manufacturer is Linear Dynamics Inc. of Montgomery, PA, phone (570) 547-1621. The **person** I dealt with there is Tony **Vellam**, their Director of Engineering,

Since I will be in the field next week, I'm leaving all my notes with my boss, State Director Jerry Amato.

Thanks for all the attention you're giving this.

Judith

4/23/99

Hattie and Joe,

I'm addressing this to both of you, since you both **helped** me research various aspects of this issue **in** the past few days. Joe, I would ask **you** to **forward** this note to other members of **the Cargo Tank TAO**, as well as **HM Specialists** in **the other** Resource Centers, to see if anyone has had experience in the field with paint strippers.

Here is a recap of the issue **and what we know** so far:

We have a Vermont-based interstate motor carrier **whose** business is highway safety marking. They use a specialized straight **truck** with paint tanks mounted on it (bolted on), **from** which the paint is sprayed onto the highway to create yellow and white lane markings. The vehicle is manufactured for this purpose by LDI (Linear **Dynamics** Inc.) of Montgomery, PA, which has been engaged in this **manufacturing** process for many years. Their engineer tells **me** the issue of whether **this** vehicle is a "cargo tank" built to DOT specs has never arisen before. The tanks themselves are **250-gallon** capacity, manufactured to **ASME spec**. The facility has its "**U**" stamp, but it is not a cargo tank manufacturer as **such**. I have a drawing of the vehicle's configuration which I can **fax** to anyone **who wants** it.

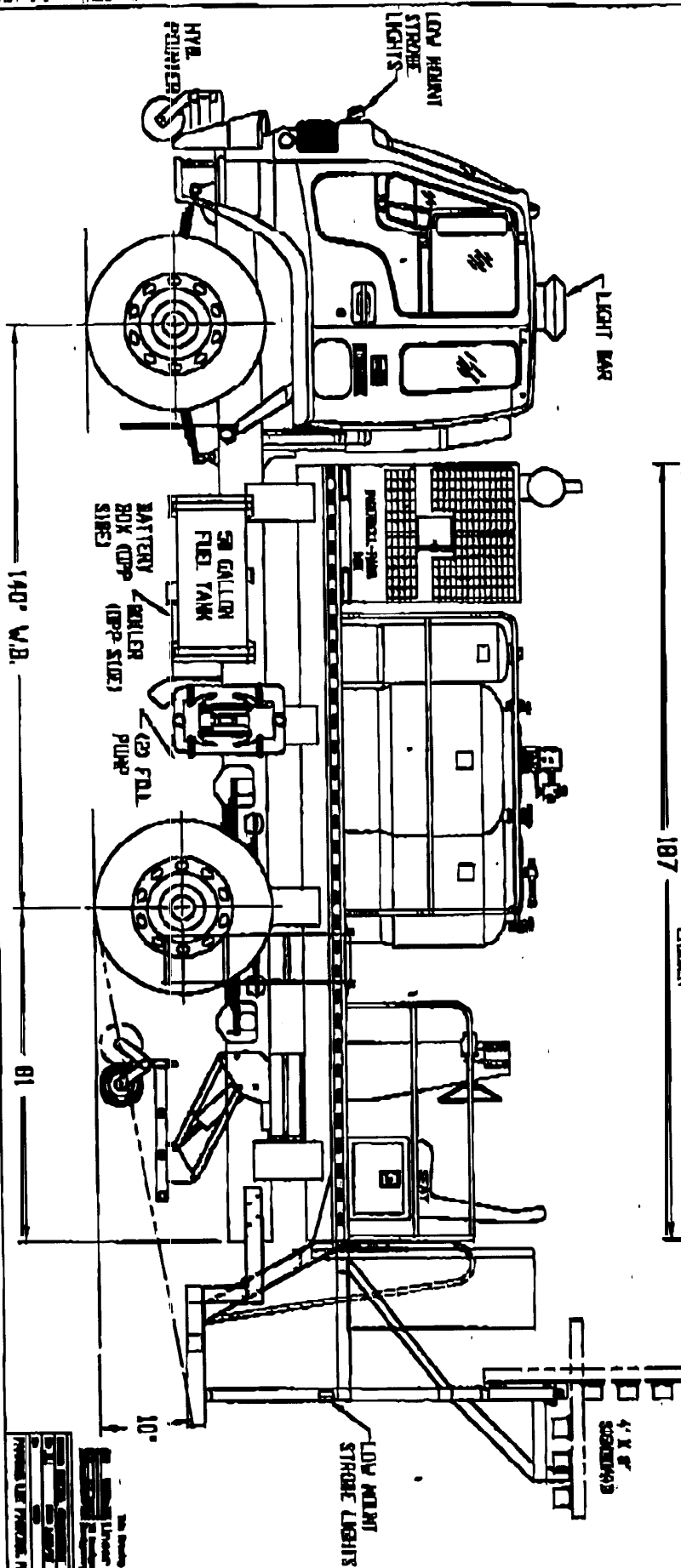
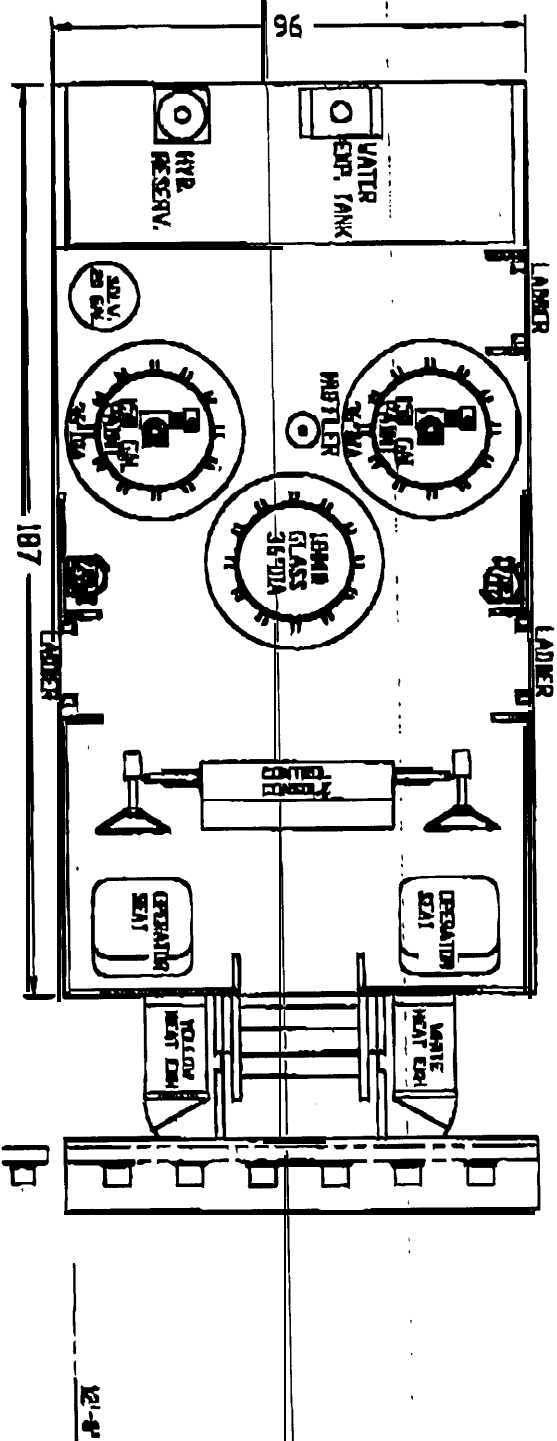
The material is Paint, 3, UN1263, **P.G. II**. It is heated at the moment of application, but not during transportation, so it does **not** appear to meet **the** definition of **an** elevated temperature material. It is solvent-based, with a flash point of **50 degrees F**.

The reason this has become an "**issue**" is that a **Vermont MCSAP** inspector ticketed the **company** for transporting HM **in a** non-spec cargo **tank**. I need to resolve the question of whether **the** carrier **does** indeed have to meet **DOT** specs. **It seems highly** unlikely that this question **has** never arisen before, given the widespread **use** of such vehicles on **highway** paving projects. So far we have not found any exemptions that apply, but we want to be sure we haven't overlooked anything.

The motor **carrier** plans to contact **the American Traffic** Safety Services Association, phone (540) 368-1701, of which it is **a** member, to see if they are **aware of any** exemptions **or** exceptions that have been granted to others in the industry. Hattie, you might want to check your **files** to see if you have **anything** on that association.

So there you have it, I will be out of the office Mon.-Tue. **4/26-27**, but you can leave e-mails. If you want a copy of the **drawing**, call my office **(802-828-4480)** and ask Carol to fax it to you.

Thank you one and all!
Judith



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